REMARKS

Claims 1-5 and 7-18 are pending.

The Examiner has rejected claims 1-5, 8-13 and 15-18 under 35 U.S.C. § 103(a) as assertedly being unpatentable over Marcus et al. in view of Eastman, claim 14 as being unpatentable over Marcus et al. in view of Eastman, and further in view of Del Bagno et al., and claim 7 as being unpatentable over Marcus et al. in view of Eastman, and further in view of newly cited Kroliczek et al. (U.S. Patent No. 6,382,309). Applicants traverse these rejections because the cited references fail to disclose all of the claim limitations, one of skill in the art would not have combined the references, and any combination of the references would fail to meet all of the claim limitations.

Claim 1 comprises a heat pipe having a flat-thin shaped section, a porous body sheet, and a direct reflux flow passage formed between the porous body sheet and an inner face of a container portion of the heat pipe where the porous body sheet is mounted.

First, Applicants incorporate by reference the arguments in their Amendment filed on January 18, 2006. In addition, in order for a combination of Marcus and Eastman to meet all of the claim limitations, one of skill in the art at the time of the invention would have had to mount the Eastman porous body onto the Marcus plates that have capillary grooves. Without grooves on the plate, the combination would not meet the claim limitation that "the direct reflux flow passage is formed between the porous body and an inner face of the container where the porous body is mounted."

The Examiner appears to acknowledge this by asserting for the first time that Eastman discloses the use of covering the capillary grooves which are normally provided on the inner

surface of the tubular member (Col. 1, lines 5-15). However, that portion of Eastman discloses what the prior art did, rather than describe an embodiment that has a porous wick over a grooved surface. In fact, Eastman states that the inventive grooved wick is advantageous over the prior art that had grooves in the casing because you do not need to machine each individual heat pipe casing. Col. 3, lines 25-32. Also, Eastman notes that grooved pipes effectively block circumferential flow. Col. 1, lines 59-61. Therefore, even if one of skill in the art would have used the grooved wick from Eastman in the Marcus device, one of skill in the art would then have found it unnecessary to maintain the grooves in the Marcus plates.

Regarding the remaining dependent claims, they should be allowable at least based on their dependence from claim 1 for the reasons described above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: July 5, 2006